

## CHAPTER 66

## BUTTER SUBSTITUTES

S. F. 169

AN ACT to prohibit the use as food of oleomargarine or other butter substitutes in certain state institutions.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Oleomargarine, butterine, or other products made in the  
2 imitation or semblance of natural butter produced from milk or cream  
3 or both, shall not be used as a food in the college for the blind, the  
4 school for the deaf, or any state institution under the management  
5 of the board of control.

Approved April 3, A. D. 1925.

## CHAPTER 67

## BOARD OF PAROLE

S. F. 23

AN ACT to transfer to the board of parole the powers now possessed by the board of control over the parole of prisoners in the women's reformatory, to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738), thirty-seven hundred seventy-five (3775), thirty-seven hundred eighty-six (3786), thirty-seven hundred ninety (3790), thirty-seven hundred ninety-two (3792), thirty-seven hundred ninety-four (3794), thirty-seven hundred ninety-seven (3797), thirty-seven hundred ninety-eight (3798), thirty-seven hundred ninety-nine (3799), thirty-eight hundred one (3801), thirty-eight hundred two (3802), thirty-eight hundred three (3803), thirty-eight hundred fourteen (3814), thirty-eight hundred seventeen (3817); to amend sections thirty-eight hundred eighteen (3818) and thirty-eight hundred nineteen (3819); and to repeal sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-five (3735), all of code, 1924, relating to paroles.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section thirty-seven hundred seventy-five (3775),  
2 code, 1924, is amended, revised, and codified to read as follows:  
3 "3775. **Records of prisoners.** The board of control shall cause to  
4 be kept at each of said institutions and at the women's reformatory  
5 the following permanent records:

6 1. A record of each infraction, by a prisoner, of the published rules  
7 of discipline.

8 2. Such other records for the use of the board of parole as may  
9 be approved by the executive council."

1 SEC. 2. Section thirty-seven hundred eighty-six (3786), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3786. **Power to parole after commitment.** The board of parole  
4 shall, except as to prisoners serving life terms, or under sentence of  
5 death, or infected with venereal disease in communicable stage, have

6 power to parole persons convicted of crime and committed to either  
7 the penitentiary or the men's or women's reformatory."

1 SEC. 3. Section thirty-seven hundred ninety (3790), code, 1924, is  
2 amended, revised, and codified to read as follows:

3 "3790. **Legal custody of paroled prisoners.** All paroled prisoners  
4 shall remain, while on parole, in the legal custody of the warden or  
5 superintendent and under the control of said board, and shall be sub-  
6 ject, at any time, to be taken into custody and returned to the institu-  
7 tion from which they were paroled."

1 SEC. 4. Section thirty-seven hundred ninety-two (3792), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3792. **Parole time not counted.** The time when a prisoner is on  
4 parole or absent from the institution shall not be held to apply upon  
5 the sentence against the parolee if the parole be violated."

1 SEC. 5. Section thirty-seven hundred ninety-four (3794), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3794. **Duty of clerk of district court.** The clerk of the district  
4 court shall, as to each commitment to said institutions, furnish the  
5 board of parole with a copy of the indictment, the minutes of testi-  
6 mony attached thereto, the name and residence of the trial judge, of  
7 the prosecuting attorneys, and of the jurors and witnesses sworn at  
8 the trial."

1 SEC. 6. Section thirty-seven hundred ninety-seven (3797), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3797. **Parole relief fund.** There is hereby established, from any  
4 unappropriated funds in the state treasury, a fund of twelve hundred  
5 fifty dollars (\$1250) which shall be known as the parole relief fund.  
6 The treasurer of state shall continue to maintain said fund in said  
7 amount."

1 SEC. 7. Section thirty-seven hundred ninety-eight (3798), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3798. **Disbursement and repayment.** Said fund may be used for  
4 the relief of paroled prisoners who are in distress because of illness,  
5 loss of employment, or conditions creating personal need. In no in-  
6 stance shall the total amount advanced to a prisoner exceed twenty-  
7 five dollars (\$25.00). The prisoner, at the time of receiving an ad-  
8 vancement, shall execute and deliver to the board his written obligation  
9 to repay the same during the period of the parole. When so paid, the  
10 amount shall be deposited with the treasurer of state and credited to  
11 the fund from which drawn."

1 SEC. 8. Section thirty-seven hundred ninety-nine (3799), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3799. **Vouchers.** Said fund shall be drawn on vouchers executed  
4 by the chairman and secretary of the board in favor of said needy per-  
5 son. Each voucher shall show that the advancement was ordered by  
6 said board."

1 SEC. 9. Section thirty-eight hundred one (3801), code, 1924, is  
2 amended, revised, and codified to read as follows:

3 "3801. **Custody of court parolee.** When a parole is granted under

4 the preceding section, the court shall order said person committed  
5 to the custody, care, and supervision:

- 6 1. Of any suitable resident of this state; or
- 7 2. Of the board of parole."

1 SEC. 10 Section thirty-eight hundred two (3802), code, 1924, is  
2 amended, revised, and codified to read as follows:

3 "3802. **Powers of board.** The board of parole shall have and  
4 exercise over said parolee all the powers possessed by said board over  
5 prisoners paroled by it."

1 SEC. 11. Section thirty-eight hundred three (3803), code, 1924,  
2 is amended, revised, and codified to read as follows:

3 "3803. **Expense.** Any necessary expense contracted by the board  
4 in the care of a person committed to it under a parole by the court  
5 shall be paid from the appropriation for the general expenditures of  
6 said board."

1 SEC. 12. Section thirty-eight hundred fourteen (3814), code, 1924,  
2 is amended, revised, and codified to read as follows:

3 "3814. **Recommendation for pardon.** The board of parole shall  
4 recommend to the governor the discharge or pardon of such prisoners  
5 committed to the penitentiary or the men's or women's reformatory  
6 as have acceptably served not less than twelve months of their parole  
7 and who have, by their conduct, given satisfactory evidence that they  
8 will continue to be law-abiding citizens."

1 SEC. 13. Section thirty-eight hundred seventeen (3817), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3817. **Conditions prerequisite to a pardon.** After conviction for  
4 a felony, no pardon shall be granted by the governor until he shall  
5 have presented the matter to, and obtained the advice of, the board of  
6 parole, but he may commute a death sentence to imprisonment in the  
7 penitentiary for life, without making such reference or obtaining such  
8 advice."

1 SEC. 14. Sections thirty-eight hundred eighteen (3818) and thirty-  
2 eight hundred nineteen (3819), code, 1924, are amended by striking  
3 from said sections the word "proper".

1 SEC. 15. Sections thirty-seven hundred thirty-four (3734) and  
2 thirty-seven hundred thirty-five (3735), code, 1924, are hereby re-  
3 pealed.

1 SEC. 16. Section thirty-seven hundred thirty-eight (3738), code,  
2 1924, is amended, revised, and codified to read as follows:

3 "3738. **Escape.** Any inmate of said reformatory who shall escape  
4 therefrom may be arrested and returned to said reformatory, by an  
5 officer or employee thereof without any other authority than this  
6 chapter, and by any peace officer or other person on the request in  
7 writing of the superintendent or board of control."

1 SEC. 17. **Records transferred.** Upon the taking effect of this chap-  
2 ter, the board of control is directed to transfer to the board of parole  
3 all records pertaining to the parole of prisoners from the women's  
4 reformatory.

1 SEC. 18. **Publication.** This act being deemed of immediate import-

2   ance shall be in full force and effect from and after its publication in  
 3   the Des Moines Daily Record, a newspaper published in Des Moines,  
 4   Iowa, and the Clarksville Star, a newspaper published in Clarksville,  
 5   Iowa.

Approved March 25, A. D. 1925.

I hereby certify that the foregoing act was published in the Des Moines Daily Record  
 March 31, 1925, and the Clarksville Star April 2, 1925.

W. C. RAMSAY, *Secretary of State.*

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## CHAPTER 68

### BOARD OF CONTROL

S. F. 80

AN ACT to amend section thirty-four hundred ninety-four (3494), code, 1924, relating  
 to the duties of the board of control of state institutions.

*Be it enacted by the General Assembly of the State of Iowa:*

1   **SECTION 1. Monthly visitation.** Section thirty-four hundred ninety-  
 2   four (3494), code, 1924, is amended by inserting in line one (1) after  
 3   the word "board" the following words, "or its secretary".

1   **SEC. 2. Publication clause.** This act being deemed of immediate  
 2   importance shall be in full force and effect from and after its pub-  
 3   lication in the Des Moines Register and the Des Moines Capital,  
 4   newspapers published in Des Moines, Iowa.

Approved April 3, A. D. 1925.

I hereby certify that the foregoing act was published in the Des Moines Daily Record  
 April 10, 1925, and in Plain Talk April 9, 1925.

W. C. RAMSAY, *Secretary of State.*

[The above newspapers selected by the Secretary of State under the provisions of Section 55  
 of the Code of 1924.]

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## CHAPTER 69

### INSTITUTIONS UNDER BOARD OF CONTROL

S. F. 87

AN ACT to render all monthly appropriations for the support of institutions under the  
 management of the board of control of state institutions available at the first of each  
 current month and to amend sections thirty-seven hundred four (3704), thirty-seven  
 hundred five (3705), thirty-seven hundred twenty-one (3721), and thirty-seven hun-  
 dred twenty-two (3722), code, 1924.

*Be it enacted by the General Assembly of the State of Iowa:*

1   **SECTION 1. Funds available first of month.** For the remaining  
 2   portion of the biennium ending June 30, 1925, all monthly appropria-